

**DEPARTMENT OF LABOR & ECONOMIC GROWTH**  
**Michigan Occupational Safety and Health Administration**  
**Construction Safety & Health Division**

**M E M O R A N D U M**

**Date:** February 12, 2004

**To:** Division Field Staff and Supervisors

**From:** Robert Pawlowski, Division Director

**Subject:** Lineworker Fall Protection

The application of Construction Safety Commission Standard, *Part 16 Power Transmission and Distribution* as it relates to pole climbing requires some clarification. The rule in question states:

**R 408.41634. Lineman's belt and safety strap; use.**

**Rule 1634.** (1) A lineman's belt and safety strap shall be provided as prescribed in construction safety standard Part 6. Personal Protective Equipment, being R 408.40601 et seq. of the Michigan Administrative Code, and shall be worn by an employee working on a pole, tower or other such structure, except where use of the belt and strap creates a greater hazard. If use of the belt and strap creates a greater hazard, other equivalent safeguards shall be used.

Historic interpretations of this rule have required use of the strap while climbing the pole. This was based on the concept that "working" on the pole included access from the ground and changing locations after climbing to a task location. More recent changes in other related standards, however, have resulted in greater clarity of the enforcement approach to the issue. The federal general industry standard Subpart R, 1910.269 Electric Power Generation, Transmission, and Distribution which was adopted by the MIOSHA General Industry Safety Standards Commission as GISSC Part 86 provides:

**1910.269 (g)(2)(v)** Fall arrest equipment, work positioning equipment, or travel restricting equipment shall be used by employees working at elevated locations more than 4 feet (1.2 m) above the ground on poles, towers, or similar structures if other fall protection has not been provided. Fall protection equipment is not required to be used by a qualified employee climbing or changing location on poles, towers, or similar structures, unless conditions, such as, but not limited to, ice, high winds, the design of the structure (for example, no provision for holding on with hands), or the presence of contaminants on the structure, could cause the employee to lose his or her grip or footing.

During promulgation of 1910.269, the relative merits of safety strap use while climbing poles was considered. The preamble contains several examples of hazards created by using the strap as well as perspectives documenting the increased safety of using the straps. After considering all the input, OSHA developed the language in 1910.269 (g)(2)(v). That language clearly allows a qualified, journey person climber to evaluate the relative hazards presented and to climb without using the safety strap if that was deemed the safest option.

Therefore, when evaluating field conditions for compliance with 408.41634(1), the provisions of 1910.269 (g)(2)(v) and the above shall be used.